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advancement, will go to the head of their *oluina* to ask for his intercession with the spirits.(1)

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As legal head of the village, the *sekulu yimbo* presides over both the more serious cases, which are held before the whole village on the dance-floor, and the simpler ones, which require the attendance only of those concerned, together with their respective elders, and may be taken up either in the *onjango* or in the headman's own courtyard. Hambly seems to suggest that all the section-heads act with the village headman as a kind of council, but does not give details. He states also that the *olosekulu* (sing. *sekulu*) of the village formerly had charge of trials for murder, theft, adultery, and arguments over land,(2) and points out that they were more active in the legal system than the chiefs.(3) This is even more true today, when the village court of justice continues to function in spite of political and administrative changes, although the offices of chiefs and to some extent of sub-chiefs have largely decayed. [177]

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Other functions of the village headman include: the distribution of land to the various families when new village sites are opened;(4) the direction of the communal fire-hunts;(5) and, today, the collecting of taxes from the villagers and the direction and organisation of labour to work on the roads.(6) But however numerous the headman's official duties, he usually finds some time to attend to his own affairs, whether he is a farmer, hunter, or trader.(7)

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Succession to headmanship is usually from father to son or from elder to younger brother, "with only as much recognition of primogeniture as belongs to the general ... hierarchy of age."(8) Succession is, however, affected by the "democratic" tendencies in succession to chieftainship.(9)

The Chief (osoma or sova)(10)

631 643 [177]

The Ovimbundu are grouped in 22 chiefdoms, of which half were in the past generally tributary to the more powerful chiefs.(11) At the same time each chiefdom had its separate government and could be considered as a unit in itself. Effective European occupation and direct rule have atrophied the chiefly office among the Ovimbundu, until today chiefs survive as little more than "living museum pieces".(12) Childs(13) enumerates the functions of the chiefly office as follows:

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(a) *Religious.* The chief's ancestral spirits were the principal chiefdom deities, and the king was high-priest as well as the visible "vice-regent and incarnation" of the spirits.

(1) Childs, personal communication.
(2) The maternal uncle is responsible for settling disputes over property which occur within the *oluina*. (Hambly op.cit., p.200).
(3) Ibid. (4) Ibid.
(5) Cashman, op.cit., p.115. (6) Ibid., p.121.
(7) Childs, op.cit., p.36. (8) Ibid., p.44.
(9) Ibid.
(10) *Osoma* means chief or king. *Soma* is the personalised form used with the name. This the Portuguese writers have corrupted into *sova* or *soba*. (Childs, personal communication)
(11) See above, p.2.
(12) Childs, op.cit., p.20. (13) Ibid.

lives of chiefs.(1)

The chief's council and court 642

It has been noted that there is a chiefdom council responsible for electing the chief or deposing him, and for sitting with him in law cases. The composition of this council has not been clearly described.(2)

The Sub-chief

The chiefdom(3) was made up of a number of sub-chiefdoms called *atumbu* (sing. *etumbu*); Bailundu had about 200 *atumbu*, each of which had from 3 to more than 300 villages, while a number of the larger *atumbu* were themselves made up of smaller ones. About 20 *atumbu* were ruled by members of the chiefly family, including heirs apparent or expectant, and the chief's wife *(inakulu)* had also her own sub-chiefdom.(4) Others were ruled by court officials not of royal birth, who sometimes themselves established dynasties, others again by dynasties native to the respective regions, or at least dynasties longer resident in the area than the chiefly family. Villages of sub-chiefs, like those of chiefs, are known as *olombala*. Most of the *atumbu* are still recognised, and the sub-chiefs have retained more of their old functions than have the chiefs, and have in addition been given new functions. They as well as village headmen are required to assist in assessing and collecting native tax,(5) and also in recruiting labour for government work and for contracts. In some areas they receive in return the remission of their own taxes. On the dancing floor of most of their *olombala* cases are still heard, judgments given and fines received, although such judgments are not officially recognised or allowed by the European authorities.(6)

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LAW

Courts

Very little information is available. We are told that certain disputes, e.g. concerning inheritance, are settled within the *oluina*;(7) that in the village cases are tried by a council which apparently consists of the section-heads under the leadership of the village headman;(8) and that these village courts continue to function; that certain cases (unspecified) are still unofficially heard in the courts of the sub-chiefs; and that prior to European occupation the paramount chief's decision was final.

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(1) Ibid., p.23. But chiefs were treated with respect; Hambly (1934, p.214) notes that the ancient custom was for commoners to fall on their knees when greeting a chief, and today this still applies to women and children although less often to men. (2) See Serpa Pinto, 1881, p.167.
(3) Most writers use "kingdom" and "king"; "chief" when used here without qualification refers always to the paramount chief of one of the 22 chiefdoms.
(4) Magyar, 1851, pp.389f, also quoted by Childs, op.cit., p.24.
(5) The amount of the tax levied on all males from 16 years is now Ags. 200,000 annually. As noted by Childs (p.215-6), it has been steadily increasing. Opportunities for earning are comparatively small in Angola, not now for lack of work, but because of "contract labour" required of all males in addition to taxes. Payment for "contract labour" is considerably below current wages, and it is a great hindrance to productive agricultural activities. (Childs, personal communication) (6) Childs, op.cit., pp.24-5.
(7) Hambly, (2) 1934, p.200. (8) See above, p.29.

586 When a woman divorces her husband to marry another man, she takes to her home all children under three years of age; other children go to the home of her parents.(1) There is no information concerning the fate of children when the man divorces his wife.

[591] Divorce cases are apparently brought before the court of the village headman only where the return of the marriage payment to the husband is long delayed or in some way unsatisfactory.(2)

LAND TENURE

423 There is virtually no information on Umbundu land usage. Childs states that land is inherited in the paternal line, i.e. by brother or son. Hambly suggests that "The right to land depends on its use and allotment by a chief (?) at the time of founding a village," and that "Rights seem to have been well defined and there was always enough room for a stranger". The meaning of neither of these statements is very clear.(3)

DOMESTIC SLAVERY

567 [572] Slaves were formerly taken in war, and, until very recently, as a result of a person's inability to pay his debts. In such a case not the debtor, but the debtor's sister's children were taken as slaves by the creditor. If the debt was paid later, the children were set free.(4) Today children instead of being sold into slavery may be expected to work for the creditor to pay off the debts of the mother's brother.(5) Childs writes "Slaves or former slaves have a status within the household or village which to the ordinary observer does not differ from that of the children: they are treated much as the children and they may carry on in all matters social and economic as though they were members of the family". He adds however that when there is a call for labour, the lot falls more often to a slave or a pawn.(6) Hambly, however, notes that formerly the master had rights of punishment including the death sentence, although an ill-treated slave might appeal to the village headman. Slave women were frequently taken as concubines, but were not lent out as prostitutes. A slave woman who married a free man would revert to her master along with her children when her husband died. All children of slaves became slaves of the master, who could dispose of the girls in marriage. If he himself married a slave girl, she would, at his death, become the property of his eldest brother and her children would go with her, although in some instances the woman and children might go to the mother's brother's son.

[727] It seems likely (although it is nowhere stated) that there was a clear distinction between slaves captured in war and slaves taken as a result of a debt; possibly the information quoted above from Hambly refers mainly to war captives.

(1) Hambly, op.cit., pp.182-3.
(2) Ibid., p.193.
(3) Hambly, op.cit., p.201. Hambly states here that the system of land distribution is described in a later section of his book, but this section merely refers back to these remarks.
(4) Bastos (1909, p.33) adds that if a father redeemed his children, the maternal uncle lost his right to sell them into slavery.
(5) Hambly, op.cit., p.205.
(6) 1940, p.42.